

Date: Fri, 25 Jun 93 04:30:27 PDT
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
Precedence: Bulk
Subject: Ham-Policy Digest V93 #205
To: Ham-Policy

Ham-Policy Digest Fri, 25 Jun 93 Volume 93 : Issue 205

Today's Topics:

ARRL EMI/RFI help (was Re: NQ0I Case: A Proposal for Action)
NQ0I: What I would do.
NQ0I Loses Big PRB-1 Antenna Case
Presence of control operator (3 msgs)

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>
Problems you can't solve otherwise to brian@ucsd.edu.

Archives of past issues of the Ham-Policy Digest are available
(by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

We trust that readers are intelligent enough to realize that all text
herein consists of personal comments and does not represent the official
policies or positions of any party. Your mileage may vary. So there.

Date: Thu, 24 Jun 1993 19:10:34 GMT
From: netcomsv!netcom.com!stevev@decwrl.dec.com
Subject: ARRL EMI/RFI help (was Re: NQ0I Case: A Proposal for Action)
To: ham-policy@ucsd.edu

In article <1993Jun22.125700.11050@sal.wisc.edu>, sde@larry.sal.wisc.edu (Scott Ellington) writes:

>
> While the ARRL has put together some excellent information for assisting
> amateurs in dealing with RFI problems, their recommended approach often is
> impractical for hams who live in residential areas. One problem is
> that a number of one's neighbors are likely to be uncooperative. Another
> is that, in a typical residential neighborhood, there are likely
> to be a couple dozen neighbors within RFI range, each of whom probably has
> a dozen or so susceptible devices. The result is a totally unreasonable amount
> of work and expense to the amateur. The REAL solution lies in legislation that
> requires the manufacturers of electronic devices to make them immune to RFI.
>
> Scott Ellington K9MA

> sde@larry.sal.wisc.edu

While I would applaud such legislation, and in fact did...last I looked FCC HAS the authority to enact exactly such regulations...they have chosen not too. Talk to FCC about that..oh yeah..back to the main point... My experience locally is that the RFI problem is actually restricted to just one or two immediate neighbors(and the hams house usually ;-)) I've been out on about 10 calls locally in the last 2 years to help resolve interference problems and there has always been a fairly cheap technical solution to the problem that the neighbor was willing to accept. Usually this is due to HOW we approach offering the help to the neighbor... there in lies most of the secret. It does help to have an outside group come in and work with BOTH parties to resolve the problem.

Steve KA6S

Date: Thu, 24 Jun 1993 20:09:11 GMT
From: dog.ee.lbl.gov!overload.lbl.gov!agate!howland.reston.ans.net!math.ohio-state.edu!uwm.edu!linac!att!cbnews!n8afd@network.UCSD.EDU
Subject: NQ0I: What I would do.
To: ham-policy@ucsd.edu

With respect to the 35 foot mound of dirt, why stop at 35 feet?

Date: Thu, 24 Jun 1993 18:30:26 GMT
From: netcomsv!netcom.com!steve@decwrl.dec.com
Subject: NQ0I Loses Big PRB-1 Antenna Case
To: ham-policy@ucsd.edu

In article <1993Jun16.191129.29401@nntpd2.cxo.dec.com>, little@nuts2u.enet.dec.com (nuts2u::little) writes:
> stuff about OSCAR deleted.
> great publicity, in line with the purpose of the amateur radio service,
> etc. but is it judicious use of our resources? Where are the priorities
> here? (By the by, I support the ARRL, AMSAT, Phase 3D, etc., and may even
> get *back* on OSCAR if I can get my antennas back up.)

This is an apples and oranges argument as far as I can tell. Funds are allocated by the lay public, i.e. John Q ham, ARRL, etc for OSCAR work as a function of interest and trying to help pursue the advancement of technology...i.e. for different reasons than one would want to fund legal aid, consequently using one to justify the other doesn't connect in my mind. These are independent pursuits.

> If Chris Imlay and the rest of the legal consultants at the ARRL can't find
> some "ideal" cases to try, then something is amiss. I hear time and time
> again about what cases are *not* "ideal", so someone must have an idea of
> what *is* "ideal" Lawyers get paid to figure out what cases are worth
> trying and make good case law. The more case law that gets on the books at
> this date over questionable cases, the more the rest of us have to "undo".
> I don't know enough about NQ0I to tell whether that was a good case or not,
> but the recent ruling is certainly going to hurt a great many of us.
>
> 73,
> Todd
> N9MWB

Todd,

You still haven't confronted the basic issue I raised which is that the number of casses is large while at the same time the funds are limited. You the ARRL member aren't willing to pay \$300 a year in dues are you? (Lets face it folks.. hams are one of the thriftiest forms of life on the planet...just attend ANY ham swap meet!) I've got 4 different antenna proceedings going on in the Santa Clara Valley Section right now. 3 are local building ordinance related, and one is the Jimmy Rich/Foster City legal battle that has been going on for something like 6/8 years. I'm not sure of the exact amount Jim has spent personally on legal expenses over the years but it is probably better than \$25,000. Then we had the Howard vs. Burlingame legal battle that ran for several years that Howard lost! The league advised Mr. Howard NOT to pursue his appeal for damages after he had spent \$25,000 to \$30,000 personally but he went ahead anyway. This brings up the other side of the coin. Many times the amateurs aren't willing to take the lawyers advice consequently spending another \$25,000. So, just within 2 casses that have occured locally I can run up a bill of something like \$75,000. To paraphrase Senator Dirkson, \$25,000 here, \$25,000 there, pretty soon we're talking about some real money!

So, here are two separate casses, the first involving CC&R's by the way, and the latter which once adjudicated causing us in CA REAL damage that cost a small fortune. Multiply that number by the 70 or so sections within ARRL and we're talking real bucks.. Let's see $75000 \times 70 = 5,250,000$. Gee that's about 1/3rd of the total budget of the league (including all sources of revenue the ARRL took in something around 14,000,000 in gross terms if memory serves.) So the statement that you the member ges to pay for it if you want the service is a reasonable reaction, and the numbers are interesting. Just doing seat of the pants calculations we have $\$5,250,000 / 150,000$ league members (slightly under inflated for nice numbers) comes out to \$35.00. That certainly isn't the \$300 the director quoted, but I don't see the lion's share of the league membership willing to take better than a doubling of dues to support such operations. Gee Todd, I'm a life

member by the way...thanks for picking up the cost for me on this ;-)

The above calculations are certainly full of a couple of holes but they serve the purpose of bringing out the kind of hidden costs you are demanding the league to make.

Now let's get down to the case selection criteria... the way that would work is I'm a league member, I pay for this service with my dues(kinda like insurance ;-)) so you gotta pay my legal bills. Oh...you won't help.. Find! I'll sue ARRL too while I'm at it! That is ONLY human nature I'm counting on here.

Consequently the league chose NOT to continue this practice for the above demonstrated reasons. You may not LIKE it, but then I don't know anyone that likes everything a large diverse organization like ARRL does.

Steve KA6S

Date: Thu, 24 Jun 1993 20:05:07 GMT
From: pa.dec.com!nntpd2.cxo.dec.com!nuts2u.enet.dec.com!little@decwrl.dec.com
Subject: Presence of control operator
To: ham-policy@ucsd.edu

For a field day station being under the call sign of an extra class licensee, presumably non-extra class operators can use the extra class frequencies provided there is an extra class control operator present. My question is, how present does the control operator need to be? Normal definitions I've seen require the control operator to actually control the radio, i.e. the non-extra class operator is considered a 3rd party. Is this interpretation correct? How have other field day groups handled this?

73,
Todd
N9MWB

Date: Thu, 24 Jun 1993 22:12:24 GMT
From: dog.ee.lbl.gov!overload.lbl.gov!agate!howland.reston.ans.net!usc!sdd.hp.com!col.hp.com!news.dtc.hp.com!srngenprp!alanb@network.UCSD.EDU
Subject: Presence of control operator
To: ham-policy@ucsd.edu

nuts2u::little (little@nuts2u.enet.dec.com) wrote:
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: licensee, presumably non-extra class operators can use the extra class
: frequencies provided there is an extra class control operator present.
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: Normal definitions I've seen require the control operator to actually
: control the radio, i.e. the non-extra class operator is considered a
: 3rd party. Is this interpretation correct? How have other field day
: groups handled this?

Yes, the non-extra is considered a third party. That means no contacts with DX countries that the US doesn't have a third-party agreement with. The control operator must be present and monitoring the transmissions. For our group, the control operator usually acts as the logger -- that should easily meet the FCC requirements, since the logger is intimately aware of everything that is going on.

AL N1AL

Date: 24 Jun 1993 18:48:34 GMT
From: topaz.bds.com!topaz.bds.com!ron@uunet.uu.net
Subject: Presence of control operator
To: ham-policy@ucsd.edu

For a station under local control, the operator must be present at the control point. Too, me this means that you have to be able to touch the radio with a minimum amount of effort. There's no requirement that the control operator actually manipulate the radio. For example, I'll frequently log for novices who'd like to work 20 meter phone during field day. I'm the control op, I'm at the control point, so it's legitimate operation. This is essentially the same interpretation in the FCC Rule Book. I suppose you could put the station under remote control and allow the control op more roaming room (I have seen that JRC now has a linear amplifier with a wireless remote, the utility of this escapes me).

As to whether this is a third party operation. This isn't much of an issue unless you're working DX or operating under automatic control. There's not much of the former on field day and the latter is sort of contrary to the contest rules.

Date: Thu, 24 Jun 93 18:12:24 GMT
From: usc!howland.reston.ans.net!agate!headwall.Stanford.EDU!nnntp.Stanford.EDU!
umunhum!paulf@network.UCSD.EDU
To: ham-policy@ucsd.edu

References <25599@drutx.ATT.COM>, <1993Jun20.230931.20746@leland.Stanford.EDU>,
<1993Jun23.162055.2549@ke4zv.uucp>1
Subject : Re: NQ0I Case : HF Vertical Antennas

In article <1993Jun23.162055.2549@ke4zv.uucp> gary@ke4zv.UUCP (Gary Coffman)
writes:

>Not necessarily. Many zoning ordinances don't require special setbacks
>for *self supporting* structures. The normal 5 foot setback from the
>property line required for other auxillary structures is sufficient.

That may be true, but just because it's legal doesn't mean it's a good idea.
Especially since, in the original post, the setback of the tower from the
house was stated as about half the tower height. Now, if the tower was right
next to the house, or 61' away, that would be all right. But 30' away means
that if the wind convinces your tower to crash in the direction of your
house, it will have performed most of the potential -> kinetic transformation
by the time your 7 element beam enters the attic. Beams atop towers are
top heavy entities, and do lots of damage where they hit; in a suburban
neighborhood, chances are there's something valuable in the 30-60' radius
around your tower.

>???? This is a hard problem even for commercial broadcast arrays operating
>in open fields over massive fields of ground radials. If you find it easy
>to get the proper base impedance at each tower, there's probably something
>wrong with your antenna system. :-)

Yes, but to them, anything but a perfect match is potentially hazardous,
since, with 100Kw going out, a 0.01 reflection coefficient means dissipating
1Kw *somewhere*. Also, dipoles are much easier to match, but a full dipole
at AM BCB wavelengths is asking for trouble mechanically.

>You've just doubled the height of your "low profile" antennas. Sleeve
>dipoles aren't *supposed* to be unbalanced radiators, they just usually
>>wind up that way. I doubt that a solid sleeve will present less windload
>for it's strength than an open lattice tower.

Well, first of all, four poles at 35' separated by 7 - 15' are going to be
one heck of a lot less of an eyesore. Secondly, since they aren't bearing
the heavy windload of a beam, their cross sectional area is much less (not
to mention the lack of cross members, which *greatly* increase wind area)
and as you know, drag decreases with area. Moreover, they don't have to
stay precisely rigid.

--

-=Paul Flaherty, N9FZX | "The National Anthem has become The Whine."
->paulf@Stanford.EDU | -- Charles Sykes, _A Nation of Victims_

Date: Thu, 24 Jun 93 14:48:02 GMT

From: usc!howland.reston.ans.net!agate!headwall.Stanford.EDU!nntp.Stanford.EDU!
kellyj@network.UCSD.EDU
To: ham-policy@ucsd.edu

References <C8z8rp.3AJ@cbnewsk.cb.att.com>, <204so8\$dn0@news.acns.nwu.edu>,
<john.740811278@misty>.

Subject : Re: First Amendment and NQ0I was Re: Childish posts on the NQ01 case:

In article <john.740811278@misty> john@anasazi.com (John R. Moore) writes:
>rdewan@casbah.acns.nwu.edu (Rajiv Dewan) writes:

>

>]In article <C8z8rp.3AJ@cbnewsk.cb.att.com> n8afd@cbnewsk.cb.att.com
(carl.h.bohman..jr) writes:

>]>Its a shame in my opinion that everyone has to worry about what

>]>his neighbor thinks, I thought thats what our country was founded

>]>on, individual freedom.

>]>I submit that all CCRs with respect to amateurs is a violation of

>]>the first amendment, freedom of speech. After all aren't CCRs restricting

>]>you 1st amendment right, even if your not an amateur. You aren't free

>]> ...

>](A few lines have been deleted for brevity.)

>

>]I am not a lawyer, but as with many constitutional arguments, a balance

>]has to made among competing rights. Counteracting the right to free

>]speech is the right to write contracts with others. After all a CC&R

>]is nothing but a contract between a buyer and a seller. The buyer agrees

>]to the contract while purchasing the property.

>

>You're right.

>

>This "free speech" argument is a silly strawman. In theory, the CC&R's

>are signed VOLUNTARILY. That means that you VOLUNTARILY AGREED to limit

>your use of the property.

>

>This has nothing to do with constitutional free speech rights, which only

>restrict what the GOVERNMENT can do to you.

>--

>John Moore NJ7E, 7525 Clearwater Pkwy, Scottsdale, AZ 85253 (602-951-9326)

>john@anasazi.com ncar!noao!asuvax!anasaz!john anasaz!john@asuvax.eas.asu.edu

> - - Support ALL of the bill of rights, INCLUDING the 2nd amendment! - -

> - - - "It is better to be judged by twelve, than carried by six." - - -

Oh yeah? What do you think would happen if some builder tried
to force people to sign a CC&R that prohibited some minority
group from moving into the neighborhood. In some parts of the
country minority groups would SURELY lower the property values

in a neighborhood, but there is VERY LITTLE CHANCE that the builder would EVER get away with that. You can't say that CC&Rs can say whatever they want. They can't. They can't discriminate against people on the basis of race, religion, etc., even if you could prove that by having a certain person move into the neighborhood would lower your property values. Personally, I am glad that you can't do this (at least without winding up in court if someone chooses to push the issue). Unfortunately, amateur radio operators are not a large enough "minority" to get legislation enacted that would prohibit discrimination against their "unsightly towers". A ham's tower poses less of a "property devaluation" risk than certain types of people, but the ham can't protest the CC&Rs because HIS/HER "minority group" doesn't have the clout of other minority groups.

My main point is : SURE CC&Rs are private contracts, but private contracts have certain guidelines to which they must follow. They aren't exempt from normal discrimination or harassment laws!!

I say that this issue of property value has been taken way too far. People in new housing tracts can't paint, leave garage doors open, park RVs in their OWN driveway, or have antennas on the roof in many cases. All of this because people are trying to get rich by buying real estate, but of course there are other things that will devalue your property that you CANNOT prohibit. Why the double standard?

Kelly Johnson
AA6BE

Date: Thu, 24 Jun 1993 20:05:13 GMT
From: swrinde!cs.utexas.edu!uwm.edu!linac!att!cbnewsk!n8afd@network.UCSD.EDU
To: ham-policy@ucsd.edu

References <204so8\$dn0@news.acns.nwu.edu>, <C90suq.18z@cbnewsk.cb.att.com>,
<randall.740849440@woof>p
Subject : Re: First Amendment and NQ0I was Re: Childish posts on the NQ01 case:

Ok, lets say that I am a developer and I am going to develop a model community that reflects the cross section of Americans. I have the standard CCRs about antenna and stuff and I now add a section that says only 80% of the home buyers can be white, 12% of the home buyers have to be black, 7% of the home buyers have to be hispanic and 1% have to be of other ethnic backgrounds. How long would that contract stand in a court of law, after all

all parties willingly signed the contract. What makes ham any
different with respect to their rights?

End of Ham-Policy Digest V93 #205
